

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DYFAN, LLC,

Plaintiff,

v.

TARGET CORPORATION,

Defendant.

C.A. No. 6:19-cv-00179-ADA

**DEFENDANT’S DISCLOSURES REGARDING PROPOSED CLAIM
CONSTRUCTIONS**

Pursuant to the Scheduling Order (*see* Dkt. 26), Defendant Target Corporation (“Defendant”), in the above-listed case provides the following disclosures regarding proposed claim constructions¹ of claims 1-4, 7, 9, 11-19, and 23-30 of U.S. Patent No. 9,973,899 (the “899 Patent”) and claims 1-8, 10-21, and 23-30 of U.S. Patent No. 10,194,292 (the “292 Patent”) (collectively referred to herein as the “Asserted Patents” or “Asserted Claims”).

The proposed terms, phrases, or clauses for construction in Exhibit A address the claims of the Asserted Patents that Dyfan, LLC (“Plaintiff”) asserted against Defendant pursuant to their Infringement Contentions. The proposed terms, phrases, or clauses are identified for construction wherever they appear in any claim element, including all dependent claims or claims where

¹ Target’s proposed claim constructions herein are also provided pursuant to the parties exchange of claim terms for construction on August 13, 2019, and the parties e-mail exchange of August 26, 2019 in which, in response to Plaintiff’s counsel’s email, Target proposed to (1) drop nine (9) of its initially proposed claim terms, and (2) combine/amend four (4) of its initially proposed claim terms.

multiple terms appear in combination. Defendant proposes only the terms and claim elements for construction that appear in the Asserted Claims against them in Plaintiff's Infringement Contentions. Nothing in this disclosure shall be construed to waive Plaintiff's requirement to assert a claim against Defendants pursuant to the Scheduling Order (Dkt. #26).

The proposed terms, phrases, or clauses for construction are based on information reasonably available to Defendant at this time. Defendant's investigation and discovery are ongoing, and Defendant therefore expressly reserves the right to amend, modify, and add to this list of terms based on continuing investigation and discovery.

Pursuant to the Scheduling Order (Dkt. #26), Defendant is prepared to meet and confer with Plaintiff at a mutually agreeable time and place for the purpose of finalizing a combined list, narrowing or resolving differences, and facilitating the ultimate preparation of a Joint Claim Construction Statement and consolidated briefing.

Date: August 27, 2019

/s/ Matthew S. Yungwirth

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document, **DEFENDANT'S DISCLOSURES REGARDING PROPOSED CLAIM CONSTRUCTIONS** was served via electronic mail upon Dyfan's counsel of record on August 27, 2019.

/s/ Matthew S. Yungwirth

EXHIBIT A

Claim Term	'899 Claims	'292 Claims	Proposed Construction
“building including a plurality of facilities therein”		1, 15, 28	“building containing two or more distinct venues or stores, each built, installed, or established to serve a particular purpose, brand or company”
“shopping mall”	2, 7, 12, 30	4, 13, 26, 29	“plain and ordinary meaning, i.e. building containing two or more distinct and independent retail stores”
“an identifier including at least three fields”	1		“identifier subdivided into at least three data locations”
“an address portion”	1, 7, 9, 11, 30	4	“a header identifying the destination of the message”
“output, via the at least one mobile device” / “causing to be output, via the at least one mobile device” / “cause to be output, via the at least one mobile device”	1, 7, 9, 11	1, 15, 28	“delivering from the at least one mobile device” / “causing the delivery from the at least one mobile device”
“influence whether the one or more mobile device actions is caused”	7, 9		Indefinite under 35 U.S.C. § 112(2)
“an application [computer code] configured for[to be] execution [executed] by at least one of a plurality of mobile devices . . . the application when executed causes the at least one mobile device to [the computer code, when executed, configured to] [the application, when executed, configured to] . . . [cause] display of an option via a display	1, 7, 9, 11		Governed by 35 U.S.C. § 112(6) Function: “[cause / causes the at least one mobile device to] display of an option via a display of the at least one mobile device” Structure: Indefinite

Claim Term	'899 Claims	'292 Claims	Proposed Construction
of the at least one mobile device”			
“code configured to be executed by at least one of the plurality of mobile devices, the code, when executed, configured to . . . cause display, via a display of the at least one mobile device, of an option for causing first visual information and second visual information to be output via the at least one mobile device”		1, 15, 28	Governed by 35 U.S.C. § 112(6) Function: “cause display, via a display of the at least one mobile device, of an option for causing first visual information and second visual information to be output via the at least one mobile device” Structure: Indefinite
“an application configured for execution by [configured to be executed by] at least one of a plurality of mobile devices . . . the application when executed causes the at least one mobile device to [configured to] . . . receive an indication of a receipt, without solicitation from the at least one broadcast short-range communications unit and via the Bluetooth [first] wireless communications protocol, of the one or more messages including the address portion and the identifier including the at least three fields [, the plurality of fields,] and the at least one value” / “computer code configured for execution by at least one of a plurality of mobile devices . . . the computer code, when executed, configured to . . . receive an indication of a receipt, without solicitation from the at	1, 7, 9, 11	1, 15, 28	Governed by 35 U.S.C. § 112(6) Function: “receive an indication of a receipt, without solicitation from the at least one broadcast short-range communications unit and via the Bluetooth [first] wireless communications protocol, of the one or more messages including the address portion and the identifier including the at least three fields [, the plurality of fields,] and the at least one value” / “receive an indication of a receipt, without solicitation from the at least one broadcast short-range communications unit and via the short-range first wireless communications protocol, of the one or more messages including the address portion, the at least three fields, and the at least one value” / “receive an indication of a receipt from the first broadcast short-range communications unit and via the first wireless communications protocol, of the one or more first broadcast

Claim Term	'899 Claims	'292 Claims	Proposed Construction
<p>least one broadcast short-range communications unit and via the short-range first wireless communications protocol, of the one or more messages including the address portion, the at least three fields, and the at least one value” / “code configured for execution by at least one of a plurality of mobile devices . . . the code, when executed, configured to . . . receive an indication of a receipt from the first broadcast short-range communications unit and via the first wireless communications protocol, of the one or more first broadcast messages including the at least one first value”</p>			<p>messages including the at least one first value”</p> <p>Structure: Indefinite</p>
<p>“code configured to be executed by at least one of the plurality of mobile devices, the code, when executed, configured to . . . receive an indication of a receipt, from the second broadcast short-range communications unit and via the first wireless communications protocol, of the one or more second broadcast messages including the at least one second value”</p>		1, 15, 28	<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: “receive an indication of a receipt, from the second broadcast short-range communications unit and via the first wireless communications protocol, of the one or more second broadcast messages including the at least one second value”</p> <p>Structure: Indefinite</p>
<p>“said application, when executed, further configured to cause the at least one mobile device to . . . in response to the receipt, from the at least one server and via the another wireless communications protocol, of the response</p>	1		<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: “in response to the receipt, from the at least one server and via the another wireless communications protocol, of the response message including the particular location-relevant information; control . . . the</p>

Claim Term	'899 Claims	'292 Claims	Proposed Construction
message including the particular location-relevant information; control, utilizing the application, the one or more mobile device application actions of the application including causing to be output, via the at least one mobile device, the mobile device application visual information based on the particular location-relevant information”			<p>one or more mobile device application actions of the application including causing to be output, via the at least one mobile device, the mobile device application visual information based on the particular location-relevant information”</p> <p>Structure: Indefinite</p>
<p>“said application, when executed, further configured to . . . after the receipt, from the at least one server and via the second wireless communications protocol, of the response message including the particular location-relevant information: cause, utilizing the application, the one or more mobile device application actions including causing to be output, via the at least one mobile device, the visual information based on the particular location-relevant information” / “computer code , when executed, further configured to . . . in response to [after] the receipt, from the at least one server and via the second wireless communications protocol, of the response message including the particular location-relevant information from the at least one server and via the second wireless communications protocol; cause, utilizing the computer code, the one or more mobile device actions including causing to be</p>	7, 9, 11	1	<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: “after the receipt, from the at least one server and via the second wireless communications protocol, of the response message including the particular location-relevant information: cause, utilizing the application, the one or more mobile device application actions including causing to be output, via the at least one mobile device, the visual information based on the particular location-relevant information” / “in response to [after] the receipt, from the at least one server and via the second wireless communications protocol, of the response message including the particular location-relevant information from the at least one server and via the second wireless communications protocol; cause, utilizing the computer code, the one or more mobile device actions including causing to be output, via the at least one mobile device, the visual information based on the particular location-relevant information” / “after the receipt, from the at least one server and via the second wireless communications</p>

Claim Term	'899 Claims	'292 Claims	Proposed Construction
<p>output, via the at least one mobile device, the visual information based on the particular location-relevant information” / “code, when executed, further configured to . . . after the receipt, from the at least one server and via the second wireless communications protocol, of the response message including the first location-relevant information and the second location-relevant information: cause to be output, via the at least one mobile device, the first visual information based on the first location-relevant information”</p>			<p>protocol, of the response message including the first location-relevant information and the second location-relevant information: cause to be output, via the at least one mobile device, the first visual information based on the first location-relevant information”</p> <p>Structure: Indefinite</p>
<p>“said code, when executed, further configured to . . . in response to the receipt, from the at least one server and via the second wireless communications protocol and the Internet Protocol over the Internet at least in part, of the first response message including the first location-relevant information [of the first location-relevant information]: cause to be output, via the at least one mobile device, the first visual information based on the first location-relevant information”</p>		15, 28	<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: “in response to the receipt, from the at least one server and via the second wireless communications protocol and the Internet Protocol over the Internet at least in part, of the first response message including the first location-relevant information [of the first location-relevant information]: cause to be output, via the at least one mobile device, the first visual information based on the first location-relevant information”</p> <p>Structure: Indefinite</p>
<p>“said code, when executed, further configured to . . . after the receipt, from the at least one server and via the second</p>		1	<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: “after the receipt, from the at least one server and via the second</p>

Claim Term	'899 Claims	'292 Claims	Proposed Construction
wireless communications protocol, of the response message including the first location-relevant information and the second location-relevant information; after the first visual information is caused to be output based on the first location-relevant information; and after the at least one mobile device is moved in the building: cause to be output, via the at least one mobile device, the second visual information based on the second location-relevant information"			wireless communications protocol, of the response message including the first location-relevant information and the second location-relevant information; after the first visual information is caused to be output based on the first location-relevant information; and after the at least one mobile device is moved in the building: cause to be output, via the at least one mobile device, the second visual information based on the second location-relevant information" Structure: Indefinite
"said code, when executed, further configured to . . . after the first visual information is caused to be output based on the first location-relevant information; after the at least one mobile device is moved in the building; and in response to the receipt, from the at least one server and via the second wireless communications protocol, of the second response message including the second location-relevant information: cause to be output, via the at least one mobile device, the second visual information based on the second location-relevant information"		15	Governed by 35 U.S.C. § 112(6) Function: "after the first visual information is caused to be output based on the first location-relevant information; after the at least one mobile device is moved in the building; and in response to the receipt, from the at least one server and via the second wireless communications protocol, of the second response message including the second location-relevant information: cause to be output, via the at least one mobile device, the second visual information based on the second location-relevant information" Structure: Indefinite
"said code, when executed, further configured to . . . after the receipt, from the at least one server and via the second		28	Governed by 35 U.S.C. § 112(6) Function: "after the receipt, from the at least one server and via the second

Claim Term	'899 Claims	'292 Claims	Proposed Construction
wireless communications protocol, of the second location-relevant information; after the first visual information is caused to be output based on the first location-relevant information; and after the at least one mobile device is moved in the building: cause to be output, via the at least one mobile device, the second visual information based on the second location-relevant information”			wireless communications protocol, of the second location-relevant information; after the first visual information is caused to be output based on the first location-relevant information; and after the at least one mobile device is moved in the building: cause to be output, via the at least one mobile device, the second visual information based on the second location-relevant information” Structure: Indefinite
“the system is configured such that, after the indication of the user input is received and after an initial instance of the output of the mobile device application visual information including the image [the output of the visual information] is caused, subsequent instances of the output of the mobile device application visual information including different images [the output of the visual information] are capable of being caused as a user moves among a plurality of the facilities of the building [as a user moves,], without requiring [necessitating] additional subsequent user input”	1, 7, 9		Governed by 35 U.S.C. § 112(6) Function: “after the indication of the user input is received and after an initial instance of the output of the mobile device application visual information including the image [the output of the visual information] is caused, subsequent instances of the output of the mobile device application visual information including different images [the output of the visual information] are capable of being caused as a user moves among a plurality of the facilities of the building [as a user moves,], without requiring [necessitating] additional subsequent user input” Structure: Indefinite
“the system is further configured such that, after the indication of the user input is received and after the output of the visual	11		Governed by 35 U.S.C. § 112(6) Function: “after the indication of the user input is received and after the

Claim Term	'899 Claims	'292 Claims	Proposed Construction
information is caused, subsequent output of different visual information is caused as the at least one mobile device is moved among a plurality of the facilities of the building"			output of the visual information is caused, subsequent output of different visual information is caused as the at least one mobile device is moved among a plurality of the facilities of the building" Structure: Indefinite
"the system is further configured such that the option and the user input permit the user to determine whether the control of the one or more mobile device application actions is triggered"	1		Governed by 35 U.S.C. § 112(6) Function: "the option and the user input permit the user to determine whether the control of the one or more mobile device application actions is triggered" Structure: Indefinite
"the system is further configured [configured] such that the option and the user input permit the user to influence whether the one or more mobile device actions is caused"	7, 9		Governed by 35 U.S.C. § 112(6) Function: "the option and the user input permit the user to influence whether the one or more mobile device actions is caused" Structure: Indefinite
"the application, when executed, is configured to permit a determination as to whether the one or more mobile device application actions including causing to be output the visual information is triggered"	11		Governed by 35 U.S.C. § 112(6) Function: "permit a determination as to whether the one or more mobile device application actions including causing to be output the visual information is triggered" Structure: Indefinite

Claim Term	'899 Claims	'292 Claims	Proposed Construction
<p>“the system is configured such that different brand-specific visual information is caused to be output as the user moves among the plurality of facilities of the shopping mall” “the system is configured such that different product-type-specific visual information is caused to be output as the user moves among the different locations of the retail store”</p>	7, 9		<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: “different brand-specific visual information is caused to be output as the user moves among the plurality of facilities of the shopping mall” / “different product-type-specific visual information is caused to be output as the user moves among the different locations of the retail store”</p> <p>Structure: Indefinite</p>
<p>“the system is configured such that the output of the mobile device application visual information [the visual information] is conditionally caused based on whether a mobile device-specific threshold has been met” / “the system is configured such that the output of the first visual information and the second visual information are conditionally caused based on whether a mobile device-specific threshold has been met”</p>	4, 14	5, 18	<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: “the output of the mobile device application visual information [the visual information] is conditionally caused based on whether a mobile device-specific threshold has been met” / “the output of the first visual information and the second visual information are conditionally caused based on whether a mobile device-specific threshold has been met”</p> <p>Structure: Indefinite</p>
<p>“the system is configured such that, after the receipt of the indication of the user input, the visual information is automatically caused to be output, in response to the receipt of the indication of the receipt of the one or more messages that are broadcasted after the receipt of the indication of the user input” / “the system is</p>	18	8, 21	<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: “after the receipt of the indication of the user input, the visual information is automatically caused to be output, in response to the receipt of the indication of the receipt of the one or more messages that are broadcasted after the receipt of the indication of the user input” / “after the receipt of the indication of the user input, the first</p>

Claim Term	'899 Claims	'292 Claims	Proposed Construction
configured such that, after the receipt of the indication of the user input, the first visual information is automatically caused to be output in response to the receipt of the indication of the receipt of the one or more first broadcast messages that are broadcasted after the receipt of the indication of the user input, and the second visual information is automatically caused to be output in response to the receipt of the indication of the receipt of the one or more second broadcast messages that are broadcasted after the receipt of the indication of the user input"			<p>visual information is automatically caused to be output in response to the receipt of the indication of the receipt of the one or more first broadcast messages that are broadcasted after the receipt of the indication of the user input, and the second visual information is automatically caused to be output in response to the receipt of the indication of the receipt of the one or more second broadcast messages that are broadcasted after the receipt of the indication of the user input"</p> <p>Structure: Indefinite</p>
"the system is configured such that the visual information is automatically caused to be output without requiring further communication with the at least one broadcast short-range communications unit, after the receipt of the indication of the receipt of the one or more messages"	19		<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: "the visual information is automatically caused to be output without requiring further communication with the at least one broadcast short-range communications unit, after the receipt of the indication of the receipt of the one or more messages"</p> <p>Structure: Indefinite</p>
"the system is configured such that the first visual information is automatically caused to be output without requiring communication of the at least one [first] message with the first broadcast short-range		1, 15, 28	<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: "the first visual information is automatically caused to be output without requiring communication of the at least one [first] message with the first broadcast short-range communications</p>

Claim Term	'899 Claims	'292 Claims	Proposed Construction
communications unit after the receipt of the indication of the receipt of the one or more first broadcast messages, and the second visual information is automatically caused to be output without requiring communication of the at least one [second] message with the second broadcast short-range communications unit after the receipt of the indication of the receipt of the one or more second broadcast messages”			unit after the receipt of the indication of the receipt of the one or more first broadcast messages, and the second visual information is automatically caused to be output without requiring communication of the at least one [second] message with the second broadcast short-range communications unit after the receipt of the indication of the receipt of the one or more second broadcast messages” Structure: Indefinite
“the system is configured such that the one or more mobile device application actions is based on user feedback information received from a user of the at least one mobile device”	23		Governed by 35 U.S.C. § 112(6) Function: “the one or more mobile device application actions is based on user feedback information received from a user of the at least one mobile device” Structure: Indefinite
“the system is configured such that both the first visual information and the second visual information are output based on user feedback information received from a user of the at least one mobile device”		11, 25	Governed by 35 U.S.C. § 112(6) Function: “both the first visual information and the second visual information are output based on user feedback information received from a user of the at least one mobile device” Structure: Indefinite
“the system is configured such that the subsequent output of the different visual information is capable of being caused without	25		Governed by 35 U.S.C. § 112(6) Function: “the subsequent output of the different visual information is capable

Claim Term	'899 Claims	'292 Claims	Proposed Construction
additional user input after the user input"			<p>of being caused without additional user input after the user input"</p> <p>Structure: Indefinite</p>
<p>"the system is configured such that both the first visual information and the second visual information are output without additional user input after the user input"</p>		12	<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: "both the first visual information and the second visual information are output without additional user input after the user input"</p> <p>Structure: Indefinite</p>
<p>"the system is configured such that the particular location-relevant information is located based on the at least on value"</p>	28		<p>Governed by 35 U.S.C. § 112(6)</p> <p>Function: "the particular location-relevant information is located based on the at least on value"</p> <p>Structure: Indefinite</p>